STAND. COM. REP. NO. 1623 -14

Honolulu, Hawaii

April 4

, 2014

RE:

S.B. No. 2913

S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 2913, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

beg leave to report as follows:

The purpose of this measure is to protect Hawaii's coffee industry, producer of one of the top commodities in the State, from counterfeiting by expanding the scope of the offense of False Labeling of Hawaii-Grown Coffee to include:

- (1) The false labeling of natural coffee, roasted coffee, and instant coffee, in addition to green coffee, cherry coffee, or parchment coffee with regard to geographic origin; and
- (2) The false labeling of those coffees specified above with regard to grade standard classification, or the use of geographic origin in the labeling of roasted or instant coffee if the green coffee beans used in the roasted or instant coffee do not meet grade standard classifications for Hawaii-grown coffee.

Greenwell Farms; Hawaii Coffee Association; Dole Wailua Estate; Intelligent Blends; Royal Kona Coffee Visitor Center Mill & Museum; Harold L. King & Co., Inc.; Hawaii Farm Bureau; Captain Cook Coffee Co.; Hawaii Coffee Growers Association; and numerous

SB2913 HD1 HSCR CPC-JUD HMS 2014-3067



individuals testified in support of this measure. The Department of Agriculture and Kona Rising Coffee Company testified in support of the intent of this measure. Kona Coffee Farmers Association; Lions Gate Farms; Makua Coffee; Hawaii Farmers Union United; and numerous individuals testified in opposition to this measure. The Annex; ATHENA of HAWAII, LLC; and an individual provided comments on this measure.

Your Committees have amended this measure by:

- (1) Deleting the language relating to the false labeling of:
  - (A) Natural coffee with regard to geographic origin; and
  - (B) Grade standard classifications;
- (2) Amending Chapter 486, Hawaii Revised Statutes, relating to Measurement Standards instead of the Hawaii Penal Code to include:
  - (A) Certain civil fines for violations of the labeling requirements for less than one hundred pounds of Hawaii-grown roasted or instant coffee; and
  - (B) The false labeling of one hundred pounds or more of Hawaii-grown roasted or instant coffee as a class C felony;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2913, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2913, S.D. 1, H.D. 1.

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Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

KARL RHOADS, Chair

ANGUS L.K. McKELVEY, Chair

## State of Hawaii House of Representatives The Twenty-seventh Legislature

## Record of Votes of the Committee on Consumer Protection and Commerce

	uittee Referral:	Dat	e: 410214			
☐ The committee is reconsidering its previous deci						
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)						
CPC Members	Ayes	Ayes (WR)	Nays	Excused		
1. McKELVEY, Angus L.K. (C)						
2. KAWAKAMI, Derek S.K. (VC)		T CHE ST.				
3. BELATTI, Della Au						
4. BROWER, Tom			Ammonton market and a second s			
5. CACHOLA, Romy M.						
6. CREAGAN, Richard						
7. EVANS, Cindy						
8. HAR, Sharon E. 9. ITO, Ken						
9. ITO, Ken 10. LEE, Chris						
11. NAKASHIMA, Mark M.						
12. OSHIRO, Marcus R.						
13. TSUJI, Clift	- 10/	<b>发</b> 供原产;并以扩				
14. YAMANE, Ryan I.		PERSONAL PROPERTY OF SERVICE OF S				
15. MCDERMOTT, Bob						
16. THIELEN, Cynthia			Annual property of the Control of th	CONTROL OF SHORE HUBY SCHOOL PARTY ASSOCIATION		
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TOTAL (16)	12			9		
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)						
Vice Chair's or designee's signature:	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		10.00			
Distribution: Original (White) – Committee	Duplicate (Yellow) –	Chief Clerk's Office	Duplicate (P	ink) – HMSO		

HSCR 1623-14

## State of Hawaii House of Representatives The Twenty-seventh Legislature

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 58 2913, SDI	Committee I	Referral: , CPC / J		ate: 04/02/14			
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)							
JUD Members		Ayes	Ayes (WR)	Nays	Excused		
1. RHOADS, Karl (C)							
2. HAR, Sharon E. (VC)				No.			
3. BELATTI, Della Au							
4. BROWER, Tom					par XAII C		
5. CREAGAN, Richard 6. ITO, Ken							
7. KAWAKAMI, Derek S.K.							
8. LEE, Chris				<u> </u>			
9. NAKASHIMA, Mark M.							
10. TSUJI, Clift				2 2 2 mg 2 3 3 3 1 1 2 mg 2 mg 2 2 mg 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	And the second s		
11. WOOLEY, Jessica	有有样有						
12. MCDERMOTT, Bob				5-7-(40) \$200 Bake 27 BK 200 Bk 200 K 200			
13. THIELEN, Cynthia							
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TOTAL (13)		10			3		
The recommendation is:  Adopted  If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
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